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Page 1 of 7

Date: 7-Apr-04

To: Jack Chen Fax: 703-872-9306 Phone: 571-272-1689
United States Patent and Trademark Office

From: Mark V. Scley Fax: 408-765-7723 Phone: 408-765-7382

Subject: Amendment in Application Serial No. 10/618,226

A CONFIRMATION COPY OF THIS DOCUMENT:

WILL NOT BE SENT

Application No.: 10/618,226
Filing Date: July 11, 2003
First Named Inventor: Robert Chau et al.
Group Art Unit: 2813
Examiner Name: J. Chen
Attorney Docket No.: 42390.P12759

Enclosures:

1. Transmittal Form (1 page).
2. Fee Transmittal for FY 2004 (1 page in duplicate).
3. Election (3 pages).

Important Notice

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PTO/SB/21 (02-04)

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TRANSMITTAL
FORM

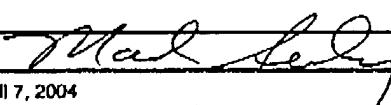
(to be used for all correspondence after initial filing)

Application Number	10/618,226
Filing Date	July 11, 2003
First Named Inventor	Robert Chau et al.
Art Unit	2813
Examiner Name	J. Chen
Total Number of Pages in This Submission	6
Attorney Docket Number	042380.P12759C

ENCLOSURES (Check all that apply)

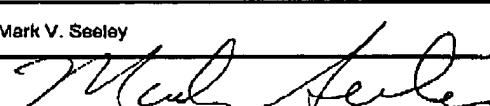
<input checked="" type="checkbox"/> Fee Transmittal Form	<input type="checkbox"/> Drawing(s)	<input type="checkbox"/> After Allowance communication to Technology Center (TC)
<input type="checkbox"/> Fee Attached	<input type="checkbox"/> Licensing-related Papers	<input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences
<input checked="" type="checkbox"/> Amendment/Reply	<input type="checkbox"/> Petition	<input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief)
<input type="checkbox"/> After Final	<input type="checkbox"/> Petition to Convert to a Provisional Application	<input type="checkbox"/> Proprietary Information
<input type="checkbox"/> Affidavits/declaration(s)	<input type="checkbox"/> Power of Attorney, Revocation	<input type="checkbox"/> Status Letter
<input type="checkbox"/> Extension of Time Request	<input type="checkbox"/> Change of Correspondence Address	<input type="checkbox"/> Other Enclosure(s) (please identify below):
<input type="checkbox"/> Express Abandonment Request	<input type="checkbox"/> Terminal Disclaimer	
<input type="checkbox"/> Information Disclosure Statement	<input type="checkbox"/> Request for Refund	
<input type="checkbox"/> Certified Copy of Priority Document(s)	<input type="checkbox"/> CD, Number of CD(s) _____	
<input type="checkbox"/> Response to Missing Parts/ Incomplete Application		
<input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.63		
Remarks		

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm or Individual name	Mark V. Seeley
Signature	
Date	April 7, 2004

CERTIFICATE OF TRANSMISSION/MAILING

I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below.

Typed or printed name	Mark V. Seeley	Date	April 7, 2004
Signature			

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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PTO/SB/17 (10-03)

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FEE TRANSMITTAL for FY 2004

Effective 10/01/2003. Patent fees are subject to annual revision.

 Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT (\$0.00)

Complete If Known

Application Number	10/618,226
Filing Date	July 11, 2003
First Named Inventor	Robert Chau et al.
Examiner Name	J. Chen
Art Unit	2813
Attorney Docket No.	042390.P12759C

METHOD OF PAYMENT (check all that apply)

 Check Credit card Money Order Other None
 Deposit Account:

Deposit Account Number: 50-0221
Deposit Account Name: Intel Corporation

The Director is authorized to: (check all that apply)

 Charge fee(s) indicated below Credit any overpayments
 Charge any additional fee(s) or any underpayment of fee(s)
 Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account.

FEE CALCULATION (continued)

3. ADDITIONAL FEES

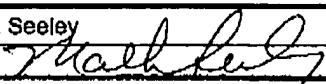
Large Entity	Small Entity	Fee Code (\$)	Fee Code (\$)	Fee Description	Fee Paid
1051	130	2051	66	Surcharge - late filing fee or oath	
1052	50	2052	25	Surcharge - late provisional filing fee or cover sheet	
1053	130	1053	130	Non-English specification	
1812	2,520	1812	2,520	For filing a request for ex parte reexamination	
1804	920*	1804	920*	Requesting publication of SIR prior to Examiner action	
1805	1,840*	1805	1,840*	Requesting publication of SIR after Examiner action	
1261	110	2251	55	Extension for reply within first month	
1262	420	2252	210	Extension for reply within second month	
1253	950	2253	475	Extension for reply within third month	
1254	1,480	2254	740	Extension for reply within fourth month	
1255	2,010	2255	1,005	Extension for reply within fifth month	
1401	330	2401	165	Notice of Appeal	
1402	330	2402	165	Filing a brief in support of an appeal	
1403	290	2403	145	Request for oral hearing	
1451	1,510	1451	1,510	Petition to institute a public use proceeding	
1452	110	2452	55	Petition to revive - unavoidable	
1453	1,330	2453	685	Petition to revive - unintentional	
1501	1,330	2601	685	Utility issue fee (or reissue)	
1502	480	2502	240	Design issue fee	
1503	640	2503	320*	Plant issue fee	
1460	130	1460	130	Petitions to the Commissioner	
1807	50	1807	50	Processing fee under 37 CFR 1.17(q)	
1806	180	1806	180	Submission of Information Disclosure Stmt	
8021	40	8021	40	Recording each patent assignment per property (times number of properties)	
1809	770	2809	385	Filing a submission after final rejection (37 CFR 1.129(a))	
1810	770	2810	385	For each additional invention to be examined (37 CFR 1.129(b))	
1801	770	2801	385	Request for Continued Examination (RCE)	
1802	900	1802	900	Request for expedited examination of a design application	

Other fee (specify) _____

*Reduced by Basic Filing Fee Paid

SUBTOTAL (3) (\$0.00)

**or number previously paid, if greater. For Reissues, see above

SUBMITTED BY				(Complete if applicable)	
Name (Print/Type)	Mark V. Seeley	Registration No.	32,299	Telephone	408-765-7382
Signature				Date	April 7, 2004

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

This collection of information is required by 37 CFR 1.17 and 1.27. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

PTO/SB/17 (10-03)

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FEE TRANSMITTAL for FY 2004

Effective 10/01/2003. Patent fees are subject to annual revision.

 Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT (\$ 0.00)

Complete If Known

Application Number	10/618,226
Filing Date	July 11, 2003
First Named Inventor	Robert Chau et al.
Examiner Name	J. Chen
Art Unit	2813
Attorney Docket No.	042390.P12759C

METHOD OF PAYMENT (check all that apply)

Check Credit card Money Order Other None
 Deposit Account:

Deposit Account Number
50-0221
Deposit Account Name
Intel Corporation

The Director is authorized to: (check all that apply)
 Charge fee(s) indicated below Credit any overpayments
 Charge any additional fee(s) or any underpayment of fee(s)
 Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account.

FEE CALCULATION (continued)

1. BASIC FILING FEE

Large Entity Small Entity

Fee Code (\$)	Fee Code (\$)	Fee Description	Fee Paid
1001 770	2001 385	Utility filing fee	
1002 340	2002 170	Design filing fee	
1003 530	2003 265	Plant filing fee	
1004 770	2004 385	Release filing fee	
1005 160	2005 80	Provisional filing fee	
SUBTOTAL (1)		(\$ 0.00)	

2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE

Total Claims	Extra Claims	Fee from below	Fee Paid
2	-20** = 0	x 18	= 0
Independent Claims	1	- 3** = 0	x 86 = 0
Multiple Dependent		290	= 0

Large Entity	Small Entity	Fee Description
1202 18	2202 9	Claims in excess of 20
1201 66	2201 43	Independent claims in excess of 3
1203 290	2203 145	Multiple dependent claim, if not paid
1204 66	2204 43	** Reissue independent claims over original patent
1205 18	2205 9	** Reissue claims in excess of 20 and over original patent
SUBTOTAL (2)		(\$ 0.00)

**or number previously paid, if greater. For Reissues, see above

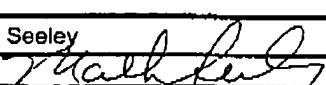
3. ADDITIONAL FEES

Large Entity Small Entity

Fee Code (\$)	Fee Code (\$)	Fee Description	Fee Paid
1051 130	2051 65	Surcharge - late filing fee or oath	
1052 50	2052 25	Surcharge - late provisional filing fee or cover sheet	
1053 130	1053 130	Non-English specification	
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1401 330	2401 165	Notice of Appeal	
1402 330	2402 165	Filing a brief in support of an appeal	
1403 290	2403 145	Request for oral hearing	
1451 1,610	1451 1,610	Petition to Institute a public use proceeding	
1452 110	2452 55	Petition to revive - unallowable	
1453 1,330	2453 665	Petition to revive - unintentional	
1501 1,330	2601 665	Utility issue fee (or reissue)	
1502 480	2602 240	Design issue fee	
1503 640	2603 320	Plant issue fee	
1460 130	1480 130	Petitions to the Commissioner	
1607 50	1807 50	Processing fee under 37 CFR 1.17(q)	
1806 180	1806 180	Submission of Information Disclosure Stmt	
0021 40	0021 40	Recording each patent assignment per property (times number of properties)	
1809 770	2809 305	Filing a submission after final rejection (37 CFR 1.129(a))	
1810 770	2810 385	For each additional invention to be examined (37 CFR 1.129(b))	
1801 770	2801 385	Request for Continued Examination (RCE)	
1802 900	1802 900	Request for expedited examination of a design application	
Other fee (specify) _____			

*Reduced by Basic Filing Fee Paid

SUBTOTAL (3) (\$ 0.00)

(Complete if applicable)				
Name (Print/Type)	Mark V. Seeley	Registration No. (Attorney/Agent)	32,299	Telephone 408-765-7382
Signature			Date	April 7, 2004

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:)
Robert Chau et al.)
Serial No.: 10/618,226)
Filed: July 11, 2003)
For: A METHOD FOR MAKING)
A SEMICONDUCTOR)
DEVICE HAVING A)
HIGH-K GATE DIELECTRIC)
Which is a Continuation of Application:)
Serial No.: 10/082,530)
Filed: February 22, 2002)
Examiner: J. Chen
Art Unit: 2813
Attorney Docket No: P12759C
Examiner: C. Lee
Art Unit: 2825

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

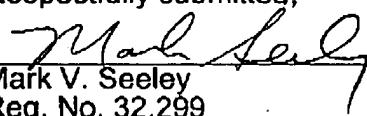
ELECTION

Sir:

In response to the examiner's restriction requirement, presented in a March 29, 2004 office action, applicants elect to prosecute Invention I (claims 21 and 38). Please cancel claims 22-37 without prejudice. This election is accompanied by a complete listing of all claims in the application.

Respectfully submitted,

Dated: April 7, 2004


Mark V. Seeley
Reg. No. 32,299

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